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ABSTRACT

This report is designed to accompany House of Representatives Bill (H.R.) 2742, which amends and reauthorizes the Library Services and Construction Act (LSCA) through 1994. In discussing the background of the bill and the need for the legislation, it is noted that, since recommendations from the 1991 White House Conference on Library and Information Services will be considered when the LSCA is reauthorized again in 1994, the House Committee on Education and Labor refrained from making significant modifications to the LSCA at this time. Explanations of the various provisions of the bill note that it does update the act to meet some of the current needs of libraries. For example, Title II is expanded to provide for the acquisition of equipment for technological enhancement; Title III is modified to permit state library administration agencies to use up to 40% of their funds on preservation efforts; a new Title VII was added to reconfirm the authority of the Department of Education to assess and evaluate LSCA programs and $500,000 was authorized to support this activity; and a new Title VIII provides for the establishment of a Family Living Center in each state to encourage libraries to provide family oriented services and promote lifelong learning and family involvement in education. The sums authorized for each of the eight Titles are listed, and Congressional Budget Office cost estimates for LSCA funding for the years 1990 through 1994 are presented. Section by section analyses of the bill conclude the report. (SD)

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ED316235

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101ST CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
101-237

LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1989

SEPTEMBER 12, 1989.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HAWKINS, from the Committee on Education and Labor, submitted the following

REPORT

[To accompany H.R. 2742]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 2742) to extend and amend the Library Services and Construction Act, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill and inserts a new text which appears in italic type in the reported bill.

LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1989

COMMITTEE ACTION

On March 31, 1989, the Subcommittee on Postsecondary Education of the Committee on Education and Labor held a hearing regarding the reauthorization of the Library Services and Construction Act at the Flathead County Library in Kalispell, MT. Witnesses providing testimony included: Phyllis Honka, of Helena Montana; Mary Hudspeth, Chairperson, Montana State Library Commission; Georgia Lomax, Director of the Flathead County Library System; Richard Miller, Montana State Librarian; and Amy Owen, Utah State Librarian. In addition, the following individuals submitted letters to be included in the hearing record: John W. Hartung, Co-Director, Kootenai County Library; Inez R. Herrig, Lincoln, Lincoln County Free Library; Tim Berg, Vice-president,

29-006

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LR 053085

Flathead Valley Community College; Margaret Warden, Great Falls, MT.; Lucile Alt, Kalispell, MT; Nance Kraft, Literacy Volunteers of America in Flathead County; Debbie Schlesinger, Director, Lewis and Clark Library; Connie Heakathon, Chairperson, Flathead County Library Board of Trustees; Wanda Glover Smith, Literacy Tutor; Robert Hamill, Librarian, Flathead High School; Phyllis Kirk, Librarian, Kalispell Junior High School; Mary Elaine Pannell, Librarian, Linderman School; and Bertha Powers, President, Flathead Friends of the Library.

On April 11, 1989, the Subcommittee on Postsecondary Education and the Senate Subcommittee on Education, Arts and the Humanities, held a joint hearing in Washington, D.C. Witnesses providing testimony included: George Abrams, Executive Director, Seneca-Iroquois National Museum; Earl Beck, Chairperson, Mississippi Library Commission: Dorothy Elliott, president, Missouri Library Association; Jane Hatch, Director Southeast Kansas Library System; Charles Kolb, Deputy Undersecretary for the Office of Planning, Budget, and Evaluation, U.S. Department of Education; Sammuel Morrison, Deputy Commissioner and chief librarian, Chicago Public Library; Sara Parker, Pennsylvania State Librarian; Gary Strong, California State Librarian; William Summers, President, American Library Association; and Dale Thompson, Director, Providence Public Library. In addition, the following individuals and organizations submitted statements for the record: Association of Research Libraries; Chief Officers of State Library Agencies; Arthur Curley, Director and Librarian, Boston Public Library; Literacy Volunteers of America; and Gretchen Wonka, Legislative Chair, Association of Library Services to Children.

On June 22, Representative Pat Williams (D-MT), Chairman of the Subcommittee on Postsecondary Education introduced H.R. 2742, Library Services and Construction Act Amendments of 1989. The bill was referred to the Subcommittee on Postsecondary Education.

On July 12, 1989, the Subcommittee on Postsecondary Education met in open session and favorably reported H.R. 2742, with amendments, to the Committee on Education and Labor by voice vote.

July 26, 1989, the Committee on Education and Labor met in open session and considered H.R. 2742. The bill was then ordered reported as amended, by voice vote.

Background and Need for Legislation

First enacted as the Library Services Act in 1965, the Library Services and Construction Act was the first, and continues to be the largest federal library program. While the original Act was designed to encourage States to expand library services to underserved areas, primarily rural areas, it has since been expanded to serve all areas of the State and to assist States in the construction of public libraries. In addition, the Act has been broadened to meet the needs of special populations such as the physically handicapped, the elderly, and the illiterate.

The Library Services and Construction Act has been effective in increasing access to public library services. When enacted, only one in six Americans had adequate access to a public library. Today,

more than 90 percent of Americans have some access to library services. Having achieved the goal of providing some access to services, the Library Services and Construction Act has gone further to assist States in improving library services, especially for special populations. It is important to note that the majority of LSCA funds are allocated directly to the State Library Administrative Agency. The State agency then tailors a plan for spending these funds that reflects the individual needs of the State. The Committee believes that giving States the ability to allocate funds based on their individual needs and priorities is an important aspect of the success of the LSCA program. H.R. 2742 deliberately preserves that flexibility.

Grants under Title I–III of the Library Services and Construction Act are allocated by statutory formula directly to the States. Title IV provides grants to Native American Indians and Native Hawaiians. Title V–VI are discretionary grant programs, where individual libraries and state library administrative agencies compete for awards. Title VII provides direct authority for the Department of Education to evaluate the LSCA programs. Title VIII also provides funds directly to States for Family Learning Center within each state. In comparsion with aggregate revenues for public libraries, LSCA provides very limited support for libraries. However, because these funds leverage State and local funding for public libraries, the program makes a much larger contribution to public library funding than its actual appropriation.

In anticipation of the upcoming White House Conference on Libraries and Information Sciences as authorized in the 100th Congress, H.R. 2742 makes modest changes to the Library Services and Construction Act. This national conference is preceded by meetings at the local, state, and regional levels. Such meetings will involve participants from not only the library profession, but shall draw on the general public to provide input on the future needs of libraries. Recommendations developed at these meetings will be reviewed at the White House Conference and will ultimately be included in the final report of the Conference. It was the sense of the Committee that the White House Conference would provide an appropriate forum for a full discussion of the needs of our nation's libraries and therefore, chose to refrain from making significant modifications to the Library Services and Construction Act after this important Conference. It is the intent of this Committee to give careful consideration to the recommendations of the White House Conference in the 1994 reauthorization of the Library Services and Construction Act.

In the interim, the Committee agreed that the existing titles of the Library Services and Construction Act should be updated to reflect current needs of the library community. Throughout the hearing process, witnesses commented on the importance of encouraging libraries to utilize new technologies in improving the delivery of library services to the public. H.R. 2742 expands Title II to provide for the acquisition of equipment for technology enhancement.

The Committee has expressed concern in regarding the need to preserve our historic, cultural, and scientific records. In an attempt to more actively involve public libraries in preservation efforts, Title III of the Act is modified to permit state library administra-

tive agencies to use up to 40 percent of their Title III funds on preservation efforts.

Witnesses also raised several technical concerns regarding the operation of the programs. In response to these concerns, the Committee has included several technical modifications to improve the efficiency of the programs.

A new title VII was added to reconfirm the authority of the Department of Education to assess and evaluate the LSCA programs and $500,000 was authorized to support this activity. A new title VIII will provide for Family Living Centers in libraries.

H.R. 2742 also limits the ability of the Department of Education to contracting out its Research Library. Finally, the Committee increased the level of authorizations for the Act to provide for the new activities authorized by H.R. 2742.

Explanation of H.R. 2742

H.R. 2742 reauthorizes the Library Services and Construction Act through 1994. Entitled the Library Services and Construction Act Amendments of 1989, this legislation attempts to update the Library Services and Construction Act to meet the current needs of public libraries.

Definitions

Section 2 of the bill amends the definition of "Construction" to allow for the purchase, lease, and installation of equipment; adds the phrase "ensure safe working environments' and broadens the reference to machinery to include new forms of library technologies. Section 2 also adds two new paragraphs that define "handicapped individual" and "network". It is in the national interest to support access to information from the broadest ranges of sources possible, including both domestic and intenational resources. Technological developments are rapidly creating opportunities for the international sharing of information which is important for research, business, and educational activities. The Committee recognizes the need to develop international standards to allow Americans access to international information. For these reasons, the definition of "network" includes both domestic and international entities.

Authorizations

Section 3 of the bill amends the Section 4 of the Act to authorize the Titles at the following levels for Fiscal Year 1990 and such sums as may be necessary in the succeeding 4 years:

Title I—Public Library Services	$100,000,000
Title II—Construction	55,000,000
Title III—Interlibrary Cooperation	35,000,000
Title IV—Indian Services (2 percent of appropriations for I, II and III)	
Title V—Foreign Language Materials	1,000,000
Title VI—Literacy Programs	10,000,000
Title VII—Evaluation and Assessment	500,000
Title VIII—Family Learning Centers	12,000,000

Library Services for Indian Tribes

Section 4 of the bill amends the internal allocation of funds under Title IV, Library Services for Indian Tribes. One half of the setaside for Indian tribes would be used for basic grants with the amount of the basic grant being determined by dividing this half by the number of tribes that submit an approved application. The other half would be used for special project grants.

Under current law, the basic grant equals the 1.5 percent setaside divided by the total number of tribes. All funds not applied for successfully are reallocated as special project grants. Because of the significant increase in the number of Tribes eligible to apply, the average basic grant would have decreased had the formula not been adjusted. On the average, Tribes will see an increase in the size of their basic grant under the new allocation system. The legislative intent of this provision is to put more emphasis on the basic grant over the special grant.

This section also amends Title IV to specify that Special grants will only be awarded to only those tribes that receive a basic grant.

To avoid applications from overlapping entities serving the same area, the bill requires that implementing regulations "prevent an allocation from being made to serve the same population by any two or more of the following: an Alaskan native village, a regional corporation or a village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act." This provision was included in the legislation to accommodate the large increase in the number of Alaskan Tribes, Villages and Regional Corporations recognized under the law as of January 1, 1989.

The Committee notes that there has been a decrease in the number of tribes receiving awards under the Basic Grant program and is concerned by this fact. The Office of Library Programs is strongly urged to develop a program that will educate eligible Tribes as to where they can obtain information and technical assistance in preparing applications for the Title IV program. In addition, the Department is urged to monitor grants through site visits. The Committee believes that such efforts will lead to greater participation in both of the Title IV programs.

State Opportunity To Comment on Title V ad VI Applications

Section 5 of the bill requires the Secretary of Education to provide the State Library Administrative Agency with the opportunity to comment on any application for Title V and VI funds as it relates to the overall State plan. Such opportunity to comment on an application should be granted after the closing date for application to the programs and therefore after all grants have been submitted to the Department for consideration. The opportunity to comment on any application for a grant under Title V or Title VI shall not be interpreted as an obligation to comment or approve such applications. Nor shall this provision be extended to programs other than those under title V or title VI. In the event that the Agency chooses to comment, such comments shall reflect on the purposes of the grant only as they relate to the long range plan filed by the State library administrative agency.

The Committee recognizes the State Library Administrative Agencies as well as public libraries are eligible to compete under this program. Therefore, it is possible that both the State Library Administrative Agency and a public library within the State could be submitting a grant under the same program. Because the State Library Administrative Agency is able to offer only limited comments after the application has been submitted, the Committee believes that the concerns raised regarding conflict of interest have been addressed.

Maintenance of Effort

Section 6 of the bill modifies the system of evaluating a States maintenance of effort in supporting public libraries. In the past, states were required to maintain a certain level of spending on selected libary programs to be eligible to receive LSCA funds. This level of spending was compared with what the State had actually spent on those same selected programs in the second preceding fiscal year. Through the hearing process, the Committee learned that this system of measuring maintenance of effort did not fully reflect State spending on public libraries. Because there was no clear definition as to which library programs were to be reported, reporting varied on a State by State basis. In addition, this system did not permit States to reallocate spending to new activities in the event that funding priorities for library programs changed.

H.R. 2742 modifies the system of measuring State support of libraries by comparing aggregate State spending on public libraries and public library systems with aggregate spending on the same programs in the second preceding fiscal year. States are required to meet 90 percent of the second previous year's spending level. The Maintenance of Effort requirement has proven to be effective in leveraging State support for public libraries. The provision preserves the spirit of the maintenace of effort requirements while simplifying the system of reporting.

Education Research Library

Section 7 of the bill restricts the ability of the Department of Education to contract out the Department of Education's Resource Library to a for-profit corporation by prohibiting that any functions or activities of the Library related to the operation of the Library Services and Construction Act cannot be contracted out. This section also instructs the Comptroller General to conduct a study of the Library and report to the Congress by September 30, 1990.

Established more than 100 years ago, the Research Library has remained an integral part of the Department's operation, serving both Departmental staff as well as the education research community. The Library maintains one of the largest and most comprehensive collections in the United States, second only to Columbia Teachers' College Library. Included in its collections are the complete archives of the Department and thousands of rare books, textbooks, and other materials, some dating back to the 15th Century. It is the Committee's intent that the Library shall be fully assessed before any action to contract out its services shall be taken.

Amendments to Title I Purposes

Section 8—II of the bill amend Title I of the Act. The largest program under LSCA, Title I provides support for public library services. The Committee intends that Title I funds not be used for general operations, but to expand or improve services provided to the public. The distribution of LSCA Title I funds within the State is left primarily at the discretion of the State Library Administrative Agency. Sections 8–11 and additional possible uses of Title I funds to the section on "Purposes" in current law. The Committee notes that these activities are not required, but are to serve as a menu of possible uses of Title I funds.

Section 8 of the bill amends Title I purposes as reflected in annual programs to include Intergenerational Library Services. The Committee recognizes that many of the nation's libraries are faced with the problem of accommodating the growing number of children left unattended in libraries during the afterschool hours. One way to address this problem is through the use of older volunteers to provide literacy and reading skill programs for "latchkey" children. The use of such volunteers provides a meaningful way for older Americans to share their talents; it greatly benefits the children who receive both assistance in developing reading skills but also special attention from an older adult; and, it helps the staffs of public libraries who are taking time from their other duties to supervise latchkey children.

Section 9 of the bill amends Title I purposes as reflected in annual programs to include Childcare Library Outreach.

Section 10 of the bill amends Title I purposes as reflected in annual programs to include Library Literacy Centers. Such Centers could operate in the existing local libraries under the direction of the State Library Administrative Agency in conjunction with other bodies such as the State Educational Agency, the State Employment Agency, and public television stations.

Section 11 of the bill amends Title I purposes as reflected in annual programs to include a drug abuse prevention activities. The Committee recognizes the important role that public libraries can play in providing the community with educational materials and encourages libraries to utilize Title I resources in developing drug abuse prevention program.

Improving Public Library Services

Section 12 of the bill amends Title I by recognizing that grants of Title I funds to library systems or networks result in improved public library services. Title I purposes are limited to activities that improve public library services. However, the Committee recognizes that a library or state library administrative agency may draw on the resources of private libraries or non-library entities involved in networks to improve public library services. It is the intent of the Committee that such activities are allowable under Title I.

Ratable Reduction

Section 13 of the bill amends Title I to make it possible to ratably reduce grants to Major Urban Resource Libraries [MURLS] should there be a reduction in federal appropriations or in the population of cities which qualify. Under current law, if the Title I funding exceeds $60 million, a portion of the Title I funds in most States must be reserved for libraries serving cities with a population of 100,000 or more. These libraries are described in the law as "major urban resource libraries". In the event that Title I funds exceed $60 million, yet are lower than the State's previous year Title I allocation, the State Library Agency is currently prohibited from proportionally reducing MURLS funding. This provision permits the State Library Administrative Agency to ratably reduce the MURLS allocation. The provision also permits the State Library Administrative Agency to ratably reduce funding to a MURL in the event that city served by that library declines in population. The Committee notes that the State Library Administrative Agency is not required to make such adjustments.

Amendment to Section 103

Section 14 of the bill deletes redundant and confusing language in Section 103 of the Act and leaves the purposes more appropriately stated under Section 102, Uses of Federal Funds.

Technology Enhancement

Section 15 of the bill amends Title II to expand its focus from the construction and renovation of public library facilities to include their enhancement through technology. Committee amendments affecting Title II, including the addition of "technology enhancement" to the name of this Title, adding a definition of the term "technology enhancement," and expanding the meanings of the terms "construction" and "equipment", all take note of the new realities of public library service.

Witnesses testified that residents in even the smallest community needs access to a global information network. Yet the costs for equipment to provide such access are high. Many public libraries have not been able to allocate funds from their operating budgets sufficient to take full advantage of technological applications as capitalization costs have posed a significant barrier. It is the Committee's intent that substantial technological equipment necessary to provide access to information, that is, equipment in the nature of a capital investment, may be an eligible use of Title II funds, even though not part of a construction or renovation project.

In addition, Section 15 expands the use of Title III funds to include "developing the technological capacity of libraries for interlibrary cooperation and resource sharing".

Preservation

Section 16 of the bill amends Title II to ensure that public libraries constructed under this title are constructed with future preservation needs in mind.

Resource Sharing

Section 17 of the bill amends Title III of the Act by substituting the word "attaining" for "eventual". In addition, this section amends the Section 304 of the Act to encourage increased public access to school library holdings during periods that school is not in session, especially in areas with limited library resources.

Preservation Programs

Section 18 of the bill amends Title III by providing for an optional Statewide preservation cooperation plan and the identification of preservation objectives. States choosing this option are required to develop such a plan "in consultation with such parties and agencies as the State archives, historical societies, libraries, scholarly organizations and other interested parties". The plan must specify the methods by which the State library will work with the entities in preserving endangered library and information resources. The State library agency may contract all or part of its preservation program to other institutions.

States with preservation cooperation plans are permitted to use up to 40 percent of Title III funds to carry them out.

Foreign Language Materials Acquisition

Section 19 of the bill amends Title V of the Act by increasing the maximum Title V award from $15,000 to $50,000. The Committee notes that the cost of purchasing foreign language materials have increased significantly since Title V was first authorized. The increase in costs is driven primarily by the decline of the dollar against foreign currencies. While Title V is designed to assist non-research libraries in acquiring foreign language materials, it was the sense of the Committee that a maximum grant of $15,000 was not sufficient to cover the cost of even minor acquisitions or a minimal number of subscriptions. Therefore, the maximum grant size was increased to more accurately reflect the cost of foreign materials. It is important to note that $50,000 is a maximum grant size. The Committee does not intend that all grants made under the Title be made at the maximum award level.

Libraries are a vital part of America's infrastructure for developing and sustaining our citizen's foreign language competencies. It is in the national interest to develop and disseminate materials that will improve such competencies. Grants made under this Title may be made to a library or consortia for subcontracts with public broadcasting agencies for the development of materials for forign language proficiency for dissemination by libraries. Such materials shall include materials on business, political and economic development, and scientific developments.

Literacy Grants

Section 20 of the bill amends Title VI by raising the amount of a literacy program grant from $25,000 and $35,000. Under this program, individual libraries or state library administrative agencies may apply directly to the Department of Education for literacy grant awards. This program is highly competitive. Since its initial

authorization, the Title VI program has seen an increase in the number and quality of applications. Because this program has been so successful in encouraging libraries to develop programs to reduce illiteracy, the Committee extended the program as originally authorized, with the exception of an increase in maximum award to $35,000.

In an effort to share information on effective literacy projects funded under this Title, the Office of Library programs shall annually submit project summaries to the national clearinghouse on literacy education, as designated under Section 372 of the Adult Education Act.

Evaluation and Assessment

Section 21 of the bill adds a new Title VII to the Act that would authorize $500,000 for evaluation and assessment of the Library Services and Construction Act programs. The Committee intends that any evaluation or assessment of the Library Services and Construction Act as authorized under this Title shall be directed by the Office of Library Programs.

Family Learning Centers

Section 22 of the bill adds a new Title VIII to the Act that would authorize $12,000,000 for Family Learning Centers. The Secretary shall make grants to States to award competitively one Family Learning Center in the State. The Family Clearing Center will encourage libraries to provide family oriented services to promote lifetime learning and family involvement in education. Funds shall be used to purchase resources and materials in both print and electronic formats in such areas a child care, child development, nutrition, parenting skills, and job and career information.

Technical Corrections

Section 23 of the bill changes the references from "library services" to "public library services" in Title I.

Effective Date

Section 24 of the bill makes the "Library Services and Construction Act Amendments of 1989" effective October 1, 1989.

Congressional Budget Office Estimate

In compliance with clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives, the estimate prepared by the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, submitted prior to the filing of this report, is set forth as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 8, 1989.

Hon. AUGUSTUS F. HAWKINS,
Chairman, Committee on Education and Labor,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached revised cost estimate for H.R. 2742, the Library Services and Construction Act Amendments of 1989, as ordered reported by the Committee on Education and Labor on July 26, 1989. The revised estimate includes a Committee amendment authorizing the Family Learning Centers. At the time the original estimate was prepared, CBO was not informed of this amendment.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Kalcevic (226-2820).

Sincerely,

ROBERT D. REISCHAUER,
Director.

Attachment.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: H.R. 2742.

2. Bill title: Library Services and Construction Act Amendments of 1989.

3. Bill status: As ordered reported from the House Committee on Education and Labor, July 26, 1989.

4. Bill purpose: The primary purpose of this bill is to amend and extend the authorization for appropriations for the federal grant programs included in the Library Services and Construction Act. The authorizations are extended from 1990 through 1994.

5. Estimated cost to the Federal Government:

[by fiscal years, in millions of dollars]

	1990	1991	1992	1993	1994
Estimated authorization levels:					
Public Library Services	100.0	104.3	108.6	113.1	117.7
Public Library Construction	55.0	57.4	59.8	62.2	64.7
Interlibrary Cooperation	35.0	36.5	38.0	39.6	41.2
Foreign Language Materials	1.0	1.0	1.1	1.1	1.2
Library Literacy	10.0	10.4	10.9	11.3	11.8
Evaluation and Assessment	.5	.5	.5	.6	.6
Family Learning Centers	12.0	12.5	13.0	13.6	14.1
Total estimated authorization	213.5	222.6	231.9	241.5	251.3
Total estimated outlays	69.5	155.3	223.1	232.4	241.9

Details may not add to totals because of rounding.

The costs of this bill fall in Function 500.

Basis of estimate: The cost estimate of H.R. 2742, the Library Services and Construction Act Amendments of 1989, reflects the new and extended authorization levels for the library programs.

The 1990 authorization levels for all of the programs are those specified in the bill. The 1991 through 1994 authorization levels are authorized at such sums as may be necessary. The estimate of these outyears levels reflect the 1990 stated level adjusted for projected inflation.

Estimated total outlays assume that the authorized levels are fully funded at the beginning of the fiscal year. Estimated outlays reflect current spending patterns.

6. Estimated cost to state and local government: Approximately 98 percent of the federal funds for public library services, public library construction, and interlibrary cooperation grants are basic grants to states. These grants are distributed to the states by a formula based on total resident population.

In H.R. 2742, the public library services state grants are authorized at $98 million for 1990; an increase of $19 million over the 1989 appropriation level. These grants require state and local governments to match federal dollars at a level ranging from 33 percent of total services costs to 66 percent of total costs depending on the state's per capita income. The public library construction state grants are authorized at $54 million in 1990, a $32 million increase over the 1989 appropriations. These grants require that state and local governments pay half of the cost of each construction project. The interlibrary cooperation grants have no federal funds matching requirements.

The foreign language material grants, library literacy grants, and evaluation and assessment grants are all awarded on a competitive basis. Local libraries and state libraries may apply for these grants. There are no federal funds matching requirements.

7. Estimate comparison: None.

8. Previous CBO estimate: On August 1, 1989, CBO prepared a cost estimate on H.R. 2742, the Library Services and Construction Act Amendments of 1989 as ordered reported from the House Committee on Education and Labor, July 26, 1989. The revised estimate includes a Committee amendment authorizing the Family Learning Centers. At the time the original estimate was prepared, CBO was not informed of this amendment.

9. Estimate prepared by: Deborah Kalcevic (226-2820).

10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

Committee Estimate

With reference to the statement required by clause 7(a)(1) of rule XIII of the Rules of the House of Representatives, the Committee agrees with the estimate prepared by the Congressional Budget Office.

Inflationary Impact Statement

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 4986 will have no inflationary impact on prices and costs in the operation of the national economy. It is the judgment of the Committee that there is no inflationary impact of this legislation as a component of the Federal budget.

Committee Findings

With reference to the statement required by clause (2)(l)(3)(A) of rule XI of the Rules of the House of Representatives regarding any findings or recommendations pursuant to this Committee's oversight reviews or studies, the Subcommittee on Postsecondary Education has conducted two legislative hearings on this bill.

Oversight Findings and Recommendations of the Committee on Government Operations

In compliance with clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee states no findings or recommendations by the Committee on Government Operations were submitted to the Committee with reference to the subject matter specifically addressed in H.R. 2742.

Summary

The Committee on Education and Labor finds that H.R. 2742, appropriately amends the Library Services and Construction Act.

Section-by-Section Analysis

Section 1 of the bill specifies the short title as the Library Services and Construction Act Amendments of 1989 and clarifies that all references in this legislation refer to the Library Services and Construction Act.

Section 2 of the bill amends the definition of "Construction" to allow for the purchase, lease, and installation of equipment; adds the phrase "ensure safe working environments" and broadens the reference to machinery to include new forms of library technologies. Section 2 also adds two new paragraphs that define "handicapped individual" and "network".

Section 3 of the bill amends the Section 4 of the Act to authorize the Titles at the following levels for Fiscal Year 1990 and such sums as may be necessary in the succeeding 4 years;

Title I.—Public Library Services	$100,000,000
Title II.—Construction	55,000,000
Title III.—Interlibrary Cooperation	35,000,000
Title IV.—Indian Services (2% of appropriations for I, II, and III)	
Title V.—Foreign Language Materials	1,000,000
Title VI.—Literacy Programs	10,000,000
Title VII.—Evaluation and Assessment	500,000
Title VIII.— Family Learning Centers	12,000,000

Section 4 of the bill amends the internal allocation of funds under Title IV, Library Services for Indian Tribes. One half of the setaside for Indian tribes would be used for basic grants with the amount of the basic grant being determined by dividing this half by the number of tribes that submit an approved application. The other half would be used for special project grants. Under current law, the basic grant equals the 1.5% setaside divided by the total number of tribes. All funds not applied for successfully are reallocated as special project grants.

To avoid applications from overlapping entities serving the same area, the bill requires that implementing regulations "prevent an allocation from being made to serve the same population by any

two or more of the following: an Alaskan native village, a regional corporation or a village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act."

Section 5 of the bill requires the Secretary of Education to provide the State Library Agency with the opportunity to comment on any application for Title V and VI funds as it relates to the overall State plan.

Section 6 of the bill provides for periodic review and revision of maintenance of effort requirements to allow States to report levels of State and local expenditures more closely related to the LSCA program in the State. Review and revision would occur every five years.

Section 7 of the bill limits the ability of the Department of Eduction to contract out the Department of Education Research Library. In addition, this section requires the Comptroller General to assess the Library.

Section 8 of the bill amends Title I purposes as reflected in annual programs to include Intergenerational Library Services.

Section 9 of the bill amends Title I purposes as reflected in annual programs to include Childcare Library Outreach.

Section 10 of the bill amends Title I purposes as reflected in annual programs to include Library Literacy Centers.

Section 11 of the bill amends Title I purposes as reflected in annual programs to include a drug abuse prevention.

Section 12 of the bill amends Title I by recognizing that grants of Title I funds to library systems or networks result in improved public library services.

Section 13 of the bill amends Title I to make it possible to ratably reduce grants to Major Urban Resource Libraries [MURL's] should there be a drop in federal appropriations or in the population of cities which qualify.

Section 14 of the bill deletes redundant and confusing language and leaves the purposes more appropriately stated under Section 102, Uses of Federal Funds.

Section 15 of the bill amends Title II to include the following: a new definition is added to define "technology enhancement", Title I purposes as reflected in annual programs would be expanded to include use of technology, LSCA Title II is retitled "Public Library Construction and Technology Enhancement", "Technology Enhancement" is added as an allowable use of Title II funds, Expands the use of Title III funds to include "developing the technological capacity of libraries for interlibrary cooperation and resource sharing".

Section 16 of the bill amends Title II to ensure that public libraries constructed under this title are constructed with future preservation needs in mind.

Section 17 of the bill substitutes the word "attaining" for the word "eventual" in Section 301 and 304 of the Act. In addition, this section amends Section 304 of the Act to encourage public and school libraries to make available school library resources available to the public when school is not in session.

Section 18 of the bill amends Title III by providing for an optional Statewide preservation cooperation plan and the identification of preservation objectives. States choosing this option are required to

develop such a plan "in consultation with such parties and agencies as the State archives, historical societies, libraries, scholarly organizations and other interested parties". The plan must specify the methods by which the State library will work with the entities in preserving endangered library and information resources. The State library agency may contract all or part of its preservation program to other institutions. States with preservation cooperation plans are permitted to use up to 40 percent of Title III funds to carry them out.

Section 19 of the bill amends Title V of the Act to increase the maximum grant award size from $15,000 to $50,000.

Section 20 of the bill amends Title VI by raising the amount of a literacy program grant from $25,000 and 35,000.

Section 21 of the bill adds a new Title VII to the Act that would authorize $500,000 for evaluation and assessment of LSCA programs.

Section 22 of the bill adds a new Title VIII to the Act that would authorize $12,000,000 for Family Learning Centers.

Section 23 of the bill changes the references from "library services" to "public library services" in Title I.

Section 24 of the bill makes the above amendments effective October 1, 1989.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

LIBRARY SERVICES AND CONSTRUCTION ACT

* * * * * * *

DEFINITIONS

SEC. 3. The following definitions shall apply to this Act:

(1) * * *

(2) "Construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, [and initial equipment] *and for the purchase, lease, and installation of equipment* of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). Such term includes remodeling to meet standards under the Act of August 12, 1968, commonly known as the "Architectural Barriers Act of 1968", remodeling designed [to conserve energy] *to ensure safe working environments and to conserve energy,* renovation or remodeling to accommodate new technologies, and the purchase of existing historic buildings for conversion to public libraries. For the purposes of this paragraph, the term "equipment" [includes machinery] *includes information and building technologies, video and telecommunications equipment, machinery,* utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term includes all

other items necessary for the functioning of a particular facility as a facility for the provision of library services.

• • • • • • •

(17) The term "handicapped individual" means an individual who is physically or mentally impaired, visually impaired, or hearing impaired.

(18) The term "network" means any local, statewide, regional, interstate, or international cooperative association of library entities which provide for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers for improved supplementary services for the clientele served by each type of library entity.

(19) The term "technology enhancement" means the acquisition, installation, maintenance, or replacement, of substantial technological equipment (including library bibliographic automation equipment) necessary to provide access to information in electronic and other formats made possible by new information and communications technologies.

(20) The term "educationally disadvantaged adult" has the meaning given that term in section 312(3)(A) of the Adult Education Act of 1988 (20 U.S.C. 2101a).

AUTHORIZATION OF APPROPRIATIONS

[SEC. 4. (a) There are authorized to be appropriated—

[(1) for the purpose of making grants as provided in title I, $75,000,000 for fiscal year 1985, $80,000,000 for fiscal year 1986, $85,000,000 for fiscal year 1987, $90,000,000 for fiscal year 1988, and $95,000,000 for fiscal year 1989;

[(2) for the purpose of making grants as provided in title II, $50,000,000 for each of the fiscal years 1985, 1986, 1987, 1988, and 1989;

[(3) for the purpose of making grants as provided in title III, $20,000,000 for fiscal year 1985, $25,000,000 for fiscal year 1986, $30,000,000 for fiscal year 1987, $35,000,000 for fiscal year 1988, and $30,000,000 for fiscal year 1989;

[(4) for the purpose of making grants as provided in title V, $1,000,000 for each of the fiscal years 1985, 1986, 1987, and 1989; and

[(5) for the purpose of making grants as provided in title VI, $5,000,000 for each of the fiscal years 1985, 1986, 1987, and 1989.

[There shall be available for the purpose of making grants under title IV for each of the fiscal years 1985, 1986, 1987, 1988, and 1989, 1.5 per centum of the amount appropriated pursuant to each of clauses (1), (2), and (3) for each such fiscal year. There shall be available for the purpose of making grants under section 5(d) for such fiscal years 0.5 per centum of the amount appropriated pursuant to each of such clauses for each such fiscal year.]

SEC. 4. (a) There are authorized to be appropriated—

(1) for the purpose of making grants as provided in title I, $100,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(2) for the purpose of making grants as provided in title II, $55,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(3) for the purpose of making grants as provided in title III, $35,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(4) for the purpose of making grants as provided in title V, $1,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(5) for the purpose of making grants as provided in title VI, $10,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(6) for the purpose of activities as provided in title VII, $500,000,000 for fiscal year 1990 and such sums as may be necessary for each of the four succeeding fiscal years;

(7) for the purpose of making grants as provided in title VIII, $12,000,000 for fiscal year 1990 and such sums as may be necessary for each of the 4 succeeding fiscal years, except that no amounts are authorized to be appropriated under this paragraph for any fiscal year unless the amount appropriated pursuant to paragraph (1) for such fiscal year equals or exceeds the amount appropriated pursuant to such paragraph for the fiscal year 1989.

There shall be available for the purpose of making grants under title IV for each of the fiscal years 1990, 1991, 1992, 1993, and 1994, 1.5 percent of the amount appropriated pursuant to each of paragraphs (1), (2), and (3) for each such fiscal year. There shall be available for the purpose of making grants under section 5(d) for such fiscal years 0.5 percent of the amount appropriated pursuant to each of such paragraphs for each such fiscal year.

(b) Notwithstanding any other provision of law, unless enacted in express limitation of the provisions of this subsection, any sums appropriated pursuant to subsection (a) shall (1), in the case of sums appropriated pursuant to paragraphs (1) and (3) thereof, be available for obligation and expenditure for the period of time specified in the Act making such appropriation, and (2), in the case of sums appropriated pursuant to paragraph (2) thereof, subject to regulations of the Secretary promulgated in carrying out the provisions of section 5(b), be available for obligation and expenditure for the year specified in the Appropriation Act [and for the next succeeding year.] *and is authorized to remain available until expended.*

* * * * * * *

ALLOTMENTS TO STATES AND INDIAN TRIBES

SEC. 5. (a)(1) From the sums appropriated pursuant to clause (1), (2), [or (3) of section 4(a)] *(3), or (7) of section 4(a)* for any fiscal year, the Secretary shall allot the minimum allotment, as determined under paragraph (3) of this subsection, to each State. Any sums remaining after minimum allotments have been made shall be allotted in the manner set forth in paragraph (2) of this subsection.

(2) From the remainder of any sums appropriated pursuant to clause (1), (2), [or (3) of section 4(a)] *(3), or (7) of section 4(a)* for

any fiscal year, the Secretary shall allot to each State such part of such remainder as the population of the State bears to the population of all the States.

(3) For the purposes of this subsection, the "minimum allotment' shall be—

(A) with respect to appropriations for the purposes of [title I,] *titles I and VIII,* $200,000 for each State, except that it shall be $40,000 in the case of Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands;

(B) with respect to appropriations for the purposes of title II, $100,000 for each State, except that it shall be $20,000 in the case of Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands; and

(C) with respect to appropriations for the purposes of title III, $40,000 for each State, except that it shall be $10,000 in the case of Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

If the sums appropriated pursuant to clause (1), (2), [or (3) of section 4(a)] *(3), or (7) of section 4(a)* for any fiscal year are insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such minimum allotments shall be reduced ratably.

(4) The population of each State and of all the states shall be determined by the Secretary on the basis of the most recent satisfactory data available to him.

[(5) There is hereby authorized for the purpose of evaluation (directly or by grants or contracts) of programs authorized by this Act, such sums as Congress may deem necessary for any fiscal year.]

* * * * * * *

[(c)(1) From the sums available pursuant to the second sentence of section 4(a) for any fiscal year, the Secretary shall allot an equal amount to each Indan tribe. Grants from such allotted amounts shall be made to Indian tribes which have submitted approved applications under section 403.

[(2) Any allotted funds for which an Indian tribe does not apply, or applies but does not qualify, shall be reallocated by the Secretary among Indian tribes which have submitted approved plans under section 404. In making such allocations (A) no funds shall be allocated to an Indian tribe unless such funds will be administered by a librarian, and (B) the Secretary shall take into account the needs of Indian tribes for such allocations to carry out the activities described in section 402(b).]

(c)(1) From one-half of the sums available pursuant to the second sentence of section 4(a) for any fiscal year, the Secretary shall allot an equal amount to each Indian tribe that submits an approved application under section 403.

(2) From the remaining one-half of the sums available pursuant to such second sentence, the Secretary shall make allocations to Indian tribes that (A) are receiving an allocation under paragraph

(1) of this subsection for such fiscal year; and (B) have submitted approved applications under section 404.

(3) In making allocations under paragraph (2)—

(A) no funds shall be allocated to an Indian tribe unless such funds will be administered by a librarian; and

(B) the Secretary shall take into account the needs of Indian tribes for such allocations to carry out the activities described in section 402(b).

(4) In making allocations under this subsection, the Secretary shall take such actions as may be necessary to prevent an allocation from being received to serve the same population by any two or more of the following entities (as defined in or established pursuant to the Alaskan Native Claims Settlement Act): an Alaskan native village, a regional corporation, or a village corporation.

* * * * * * *

PLANS AND PROGRAMS

SEC. 6. (a) * * *

* * * * * * *

(d) The long-range program of any State for carrying out the purposes of this Act shall be developed in consultation with the Secretary and shall—

(1) set forth a program under which the funds received by the State under the programs authorized by this Act will be used to carry out a long-range program of library services [and construction] , *construction and interlibrary cooperation and resource sharing* covering a period of not less than three nor more than five years;

* * * * * * *

(g)(1) * * *

(2) Any Indian tribe desiring to receive an additonal allocation under section 5(c)(2) *in the same fiscal year in which it has received an allocation under section 5(c)(1)* shall submit a plan in accordance with section 404.

(h) The Secretary shall coordinate programs under titles V and VI of this Act with the programs assisted by titles I, II, and III of this Act, and shall provide to the head of the State library administrative agency the opportunity to comment on any application for a grant under title V or VI of this Act prior to the awarding of the grant, in order to assure that such grants from the Secretary are for purposes consistent with the long-range program required under subsection (d) of this section.

PAYMENTS

SEC. 7. (a) From the allotments available therefor under section 5 from appropriations pursuant to clause (1), (2), or (3) of section 4(a), the Secretary shall pay to each State which has a basic State plan approved under section 6(a)(1), an annual program and a long-range program as defined in sections 3 (12) and (13) an amount equal to the Federal share of the total sums expended by the State and its political subdivisions in carrying out such plan, except that

no payments shall be made from appropriations pursuant to such paragraph (1) for the purposes of title I to any State (other than the Trust Territory of the Pacific Islands) for any fiscal year unless the Secretary determines that—

[(1) there will be available for expenditure under the programs from State and local sources during the fiscal year for which the allotment is made—

(a) sums sufficient to enable the State to receive for the purpose of carrying out the programs payments in an amount not less than the minimum allotment for that State for the purpose, and

(B) not less than the total amount actually expended, in the areas covered by the programs for such year, for the purposes of such programs from such sources in the second preceding fiscal year; and

[(2) there will be available for expenditure for the purposes of the programs from State sources during the fiscal year for which the allotment is made not less than the total amount actually expended for such purposes from such sources in the second preceding fiscal year.]

(1) there will be available from State and local sources for expenditure under the programs, during the fiscal year for which the allotment is made, an amount that equals or exceeds the amount required to provide the State percentage as required by subsection (b); and

(2)(A) there will be available for expenditure for State aid to public libraries and library systems, during the fiscal year for which the allotment is made, an aggregate amount equal to 90 percent of the amount actually expended for such purposes in the second preceding fiscal year; or

(B) if the State does not provide direct aid for public libraries or library systems, there will be available for expenditure, during the fiscal year for which the allotment is made, for the State library administrative agency, or for the part thereof charged by State law with the extension and development of public library services throughout the State, an aggregate amount equal to 90 percent of the amount actually expended for such purpose in the second preceding fiscal year.

The Secretary may, in accordance with regulations, waive the requirements of paragraph (2) of this subsection, if the Secretary determines that the application of such paragraph would be unjust or unreasonable in the light of exceptional extenuating circumstances.

* * * * * * *

EDUCATION RESEARCH LIBRARY

SEC. 9. None of the activities or functions of the Department of Education Research Library which are utilized, directly or indirectly, by the Secretary in carrying out this Act and which were not performed by contractors as of July 26, 1989, shall be contracted out or otherwise transferred from the Federal Government before September 30, 1991, unless such transfer is expressly authorized by statute, or unless the value of all work performed under the contract and related contracts in each fiscal year does not exceed $50,000.

TITLE I—*PUBLIC* LIBRARY SERVICES

GRANTS TO STATES FOR *PUBLIC* LIBRARY SERVICES

SEC. 101. The Secretary shall carry out a program of making grants from sums appropriated pursuant to section 4(a)(1) to States which have approved basic State plans under section 6 and have submitted annual programs under section 103—

(1) * * *

* * * * * * *

(5) for assisting libraries in developing intergenerational library programs that will match older adult volunteers with libraries interested in developing after school literacy and reading skills programs for unsupervised school children during afterschool hours;

(6) for assisting libraries in providing mobile library services and programs to licensed or certified child-care providers or child-care centers;

(7) to establish and support model library literacy centers, coordinated by the State library administrative agency with other interested State agencies and nonprofit organizations to reduce the number of functionally illiterate individuals and to help them reach full employment;

(8) for assisting libraries in providing and displaying educational materials, and conducting community-wide programs, aimed at preventing and eliminating drug abuse, in cooperation with local education agencies or other agencies or organizations, if appropriate;

[(5)] *(9)* for strengthening State library administrative agencies; [and]

[(6)] *(10)* for strengthening major urban resource libraries[.] *; and*

(11) for assisting public libraries in making effective use of technology to improve library and information services.

USES OF FEDERAL FUNDS

SEC. 102. (a) Funds appropriated pursuant to paragraph (1) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of paying the Federal share of the cost of carrying out State plans submitted and approved under section 6 and section 103. Except as is provided in subsection (b), grants to States under this title may be used solely—

(1) for planning for, and taking other steps leading to the development of, programs and projects designed to assist libraries to serve as community centers for information and referral and to extend and improve library services, as provided in clause (2);

(2) for (A) extending public library services to geographical areas and groups of persons without such services and improving such services in such areas and for such groups as may have inadequate public library services; and (B) establishing, expanding, and operating programs and projects to provide (i) State institutions library services, (ii) library services to the physically handicapped, and (iii) library services for the disad-

vantaged in urban and rural areas; and (C) strengthening metropolitan public libraries which serve as national or regional resources centers; and

(3) for supporting and expanding library services of major urban resource libraries which, because of the value of the collections of such libraries to individual users and to other libraries, need special assistance to furnish services at a level required to meet the demands made for such services.

No grant may be made under clause (3) of this subsection unless the major urban resource library provides services to users throughout the regional area in which such library is located. *In carrying out its program to accomplish the purposes of this title, a State may make subgrants to library systems or networks which include libraries other than public libraries, if the purpose of the subgrant is to improve services for public library patrons.*

* * * * * * *

(c)(1) * * *

* * * * * * *

(3) No State shall, in carrying out the provisions of paragraph (2) of this subsection, reduce the amount paid to any major urban resource library below the amount that such library received in the fiscal year preceding the fiscal year for which the determination is made under such paragraph (2), except that such amount may be ratably reduced to the extent that (A) the total Federal allocations to the State under section 5 for purposes of this title for the applicable fiscal year are reduced, or (B) the 1990 Census shows the population of the city served by such library has decreased.

STATE ANNUAL PROGRAM FROM LIBRARY SERVICES

SEC. 103. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for library services. Such program shall be submitted at such time, in such form, and contain such information as the Secretary may require by regulation, and shall—

(1) * * *

* * * * * * *

(3) set forth the criteria used in allocating such funds among such purposes, which criteria shall insure that the State will expend from Federal, State, and local sources an amount not less than the amount expended by the State from such sources for State institutional library services, and library services to the physically handicapped [and institutionalized individuals] during the second fiscal year preceding the fiscal year for which the determination is made;

(4) describe the uses of funds for programs for the elderly[, which may include (A) the training of librarians to work with the elderly; (B) the conduct of special library programs for the elderly particularly for the elderly who are handicapped; (C) the purchase of special library materials for use by the elderly; (D) the payment of salaries for elderly persons who wish to

work libraries as assistants on programs for the elderly; (E) the provisions of in-home visits by librarians and other library personnel to the elderly; (F) the establishment of outreach programs to notify the elderly of library services available to them; and (G) the furnishing of transportation to enable the elderly to have access to library services;];

[(5) describe the manner in which funds for programs for handicapped individuals will be used to make library services more accessible to such individuals;]

(5) describe the uses of funds to make library services and programs more accessible to handicapped individuals.

* * * * * * *

No State shall, in carrying out the provisions of clause (2) of this section, reduce the amount paid to an urban resource library below the amount that such library received in the year preceding the year for which the determination is made under such clause (2). The amount which a State is required to expend pursuant to clause (3) of this section shall be ratably reduced to the extent that Federal allocations to the State are reduced *and to the extent that the Secretary determines that the populations served by such expenditures has declined.*

TITLE II—PUBLIC LIBRARY CONSTRUCTION *AND TECHNOLOGY ENHANCEMENT*

GRANTS TO STATES FOR PUBLIC LIBRARY CONSTRUCTION *AND LIBRARY AND INFORMATION TECHNOLOGY ENHANCEMENT*

SEC. 201. The Secretary shall carry out a program of making grants to States which have had approved a basic State plan under section 6 and have submitted a long-range program and submit annually appropriately updated programs under section 203 for the construction *and technology enhancement* of public libraries.

USES OF FEDERAL FUNDS

SEC. 202.(a) Funds appropriated pursuant to paragraph (2) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of paying the Federal share of the cost of construction *and technology enhancement* projects carried under State plans. Such grants shall be used for the construction *and technology enhancement* (as defined in [section 3(2)] *sections 3(2) and 3(19), respectively)* of public libraries.

(b) For the purposes of subsection (a), the Federal share of the cost of construction *and technology enhancement* of any project assisted under this title shall not exceed one-half of the total cost of such project.

STATE ANNUAL PROGRAM FOR THE CONSTRUCTION *AND TECHNOLOGY ENHANCEMENT* OF PUBLIC LIBRARIES

SEC. 203. Any State desiring to receive a grant from its allotment for the purpose of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit such projects as the State may approve and are consistent with its long-range program.

Such projects shall be submitted at such time and contain such information as the Secretary may require by regulation and shall—

(1) for the year submitted under which funds are paid to the State from appropriations pursuant to paragraph (2) of section 4(a) for that year, be used, consistent with the State's long-range program, for the construction *and technology enhancement* of public libraries in areas of the State which are without the library facilities necessary to provide adequate library services;

(2) follow the criteria, policies, and procedures for the approval of applications for the construction *and technology enhancement* of public library facilities under the long-range program;

(3) follow policies and procedures which will insure that every local or other public agency whose application for funds under the plan with respect to a project for construction *and technology enhancement* of public library facilities is denied will be given an opportunity for a hearing before the State library administrative agency;

(4) include an extension of the long-range program taking into consideration the results of evaluations [.]*; and*

(5) follow policies and procedures in the construction of public libraries that will promote the preservation of library and information resources to be utilized in the facilities.

TITLE III—INTERLIBRARY COOPERATION AND RESOURCE SHARING

GRANTS TO STATES FOR INTERLIBRARY COOPERATION PROGRAMS

SEC. 301. The Secretary shall carry out a program of making grants to States which have an approved basic State plan under section 6, have submitted a long-range program and an annual program under section 303 for interlibrary cooperation programs, and have submitted long-range and annual programs which are directed toward [eventual] *attaining* compliance with the requirements of section 304.

USES OF FEDERAL FUNDS

SEC. 302 (a) Funds appropriated pursuant to paragraph (3) of section 4(a) shall be available for grants to States from allotments under paragraphs (1) and (3) of section 5(a) for the purpose of carrying out the Federal share of the cost of carrying out State plans submitted and approved under section 303. Such grants shall be used (1) for planning for, and taking other steps leading to the development of, cooperative library networks; [and] (2) establishing, expanding, and operating local, regional, and interstate cooperative networks of libraries, which provide for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers for improved supplementary services for the special clientele served by each type of library or center; *and (3) developing the technological capacity of libraries for interlibrary cooperation and resource sharing.*

* * * * * * *

RESOURCE SHARING

SEC. 304. (a) The long-range program and annual program of each State shall include a statewide resource sharing plan which is directed toward [eventual] *attaining* compliance with the provisions of this section.

* * * * * * *

(e) Public and school libraries which cooperate to make school library resources available to the public during periods when school is not in session may be reimbursed for such expenses.

PRESERVATION PROGRAMS

SEC. 305. (a) The long-range program and annual program of each State under this title may—

(1) include a statewide preservation cooperation plan that complies with this section; and

(2) identify the preservation objectives to be achieved during the period covered by the long-range plans required by section 6.

(b) A statewide preservation cooperation plan complies with this section if—

(1) such plan specifies the methods by which the State library administrative agency will work with libraries, archives, historical societies, scholarly organizations, and other agencies, within or outside the State, in planning, education and training, coordinating, outreach and public information, and service programs to ensure that endangered library and information resources are preserved systematically; and

(2) such preservation plan is developed in consultation with such parties and agencies as the State archives, historical societies, libraries, scholarly organizations, and other interested parties.

(c) A State which has a statewide preservation cooperation plan that complies with this section may use funds under this title to carry out such plan.

(d) The State library administrative agency may contract part or all of the preservation program under this section to other agencies or institutions.

* * * * * * *

TITLE V—FOREIGN LANGUAGE MATERIALS ACQUISITION

GRANTS FOR FOREIGN LANGUAGE MATERIAL ACQUISITION

SEC. 501. (a) * * *

* * * * * * *

(c) No grant under this title for any fiscal year shall exceed [$15,000.] *$50,000.*

TITLE VI—LIBRARY LITERACY PROGRAMS

STATE AND LOCAL LIBRARY GRANTS

SEC. 601. (a) * * *

* * * * * * * *

(e) No grant under this title for any fiscal year shall exceed [$25,000.] *$35,000.*

TITLE VII—EVALUATION AND ASSESSMENT

PROGRAM AUTHORITY

SEC. 701. The Secretary is authorized to carry out a program for the purpose of evaluation and assessment (directly or by grants or contracts) of programs authorized under this Act.

TITLE VIII—FAMILY LEARNING CENTERS

STATEMENT OF PURPOSE

SEC. 801. It is the purpose of this title to expand and improve opportunities for lifetime learning and the involvement of the Nation's families as partners in their children's education by providing comprehensive, family-oriented library services through Family Learning Centers.

GRANTS TO STATES FOR FAMILY LEARNING CENTERS

SEC. 802. The Secretary shall carry out a program of making grants to States which have an approved basic State plan under section 6 of this Act and an approved application under section 802 of this Act.

STATE APPLICATION

SEC. 803. (a) Funds appropriated pursuant to paragraph (7) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of supporting a family learning center in each of the several States.

(b) Any State wishing to receive a grant from its allotment shall, through its State library administrative agency, submit an application to the Secretary at such time, in such form, and containing such information and assurances as the Secretary may reasonably require. No application may be approved by the Secretary unless it contains assurances that the State will—

(1) select a local public library as a family learning center in accordance with the provisions of this title; and

(2) distribute 100 percent of the amounts paid to it under this title to the local public library selected as a family learning center under section 806.

USE OF FUNDS

SEC. 804. (a) Funds made available under this title shall be used to initiate, expand, or improve public library services to families.

(b) Not less than 25 percent of the funds made available under this title shall be used for the acquisition of resources and materials in print and electronic formats—

(1) which are intended for use by and with adults, including materials in such areas as child care, child development, nutrition, parenting skills, and job and career information; and

(2) which are intended for use by and with children and adolescents.

(c) Not less than 10 percent of the funds made available under this title shall be used for—

(1) the acquisition or leasing of computer hardware for use by library patrons, including services necessary for the operation, installation, and maintenance of such equipment; and

(2) the acquisition of computer software and complementary explanatory material for use by library patrons.

LOCAL APPLICATION

SEC. 805. Any local public library which wishes to receive a grant under this title shall submit an application to the State library administrative agency at such time, in such form, and containing such information as the State determines is necessary to evaluate the quality of the applicant's proposal and the applicant's ability to carry it out.

(b) Each such application shall—

(1) describe the manner in which the funds will be used to initiate, expand, or improve library services to families;

(2) provide assurances that the library will be open on weekday evenings, Saturdays, and some Sundays and legal public holidays to enable families in which both parents work outside the home to utilize the library's services;

(3) demonstrate that the library has or will have sufficient qualified staff with specialized training in providing library services to children, adolescents, and adults;

(4) provide for the establishment of an advisory committee consisting of parents, teachers, local school administrators, librarians, library administrators, library trustees, local elected officials, and business leaders, at least one-third of whom are parents who regularly use the services of the library;

(5) provide for the establishment of a family library loan program through which families may borrow sets of books for extended periods, and other innovative programs and policies designed to encourage greater use of the library by families;

(6) provide for a job and career information program to provide information and assistance to parents and others who are unemployed or seeking a new job;

(7) describe, if appropriate, any special services and outreach activities which will be offered to meet the needs of—

(A) adolescent parents;

(B) single-parent families;

(C) families in which both parents are employed outside the home;

(D) parents and children with limited English language proficiency; and

(E) educationally disadvantaged adults and their children;

(8) describe the methods by which the library will publicize and promote the services of the Center in cooperation with the local media, schools, businesses, social service agencies, and other appropriate entities; and

(9) provide assurances that the funds provided will be used to supplement and not supplant funds otherwise available for the purposes of this title.

SELECTION OF FAMILY LEARNING CENTERS

SEC. 806. (a) Each State shall select a family learning center on a competitive basis from among the local public libraries submitting applications under section 805. In making such selection, the State shall give priority to applications which—

(1) promise to serve a significant number of families on a regular basis; and

(2) offer innovative approaches to improving library services for families and approaches which show promise for replication and dissemination.

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